

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
Civil Action: 1:13-cv-147**

WHITNEY C. STEPHENSON,)
)
Plaintiff,)
) **PLAINTIFF'S PRE-TRIAL DISCLOSURES**
v.)
)
PFIZER INC. ,)
)
Defendant.)

Pursuant to Rule 26(a)(3), plaintiff hereby makes the following pretrial disclosures:¹

I. WITNESSES

Plaintiff is presently aware of the following witnesses whom she may call to testify at trial of this action. In the event plaintiff learns of additional witnesses, plaintiff will supplement these disclosures.

A. Plaintiff expects to present the following witnesses at trial of this action:

1. Whitney Stephenson
2. Wesley Stephenson
3. Tom Rulon

¹ As permitted by Rule 26(a)(3), plaintiff may have additional witnesses or exhibits, as needed for impeachment.

4. Jerry Lambert
5. Dr. Gary Albrecht
6. Patrick Clifford
7. Dr. Timothy Martin
8. Trevall Webb

B. Plaintiff may call the following witnesses if the need arises:

9. Dr. Michael Evans

II. DEPOSITION TRANSCRIPTS

Plaintiff expects to offer some or all of the following deposition transcripts or parts thereof at trial. Plaintiff reserves the right to object to any such testimony to the extent its admission is not supported by the evidence.

1. Dr. Timothy Martin
2. Jenny Mark
3. John Harp
4. Thomas Salamone
5. Charisse Smith
6. Anna DiDio

III. DOCUMENTS AND EXHIBITS

Plaintiff is presently aware of the following documents and exhibits which she expects to or may present at trial. In the event plaintiff learns of other documents or exhibits, plaintiff will supplement these disclosures. Plaintiff reserves the right to object to any document in the event that the evidence at trial does not support its admission.

1. Plaintiff expects to offer the following documents and exhibits:

PT #	DISCOVERY DOCUMENTS	DEP EXH NO.	DISCOVERY NO.
1.	Job description	3 Mark	PL 387-388
2.	Mark medical notes – 10/24/11- 11/1/11		DEF 4970-4971
3.	Email from Rulon with Job description-dated 10/26/11	9 Stephenson	PL 373-375
4.	Email from Rulon with Job description - 10/26/11		PL 376-379
5.	Email string regarding Field Exchange Program – 11/1/11		PL 283-284
6.	Request for reasonable accommodation – 11/22/11	10 Stephenson	DEF 655-666
7.	Return to work status	11 Stephenson	DEF 642; 768
8.	Short-Term Disability Claim Form	6 Mark	DEF 647
9.	Email string regarding medical accommodation suggestions - 11/9/11	13 Stephenson	DEF 683-685
10.	Email string regarding Whitney Stephenson – 11/16/11	7 Mark	DEF 686-687
11.	Email string regarding medical accommodation – 11/18/11	14 Stephenson	DEF 674-675
12.	Email string from Harp to Stephenson regarding Whitney Stephenson Accommodation Request – 11/28/11	15 Stephenson	DEF 679-680
13.	Email string from Stephenson to Harp regarding Whitney Stephenson Accommodation Request – 11/29/11	3 Harp	DEF 739-741
14.	Email string regarding ADA Accommodation Request – 11/30/11	4 Mark	DEF 1481-1486
15.	Email string regarding Accommodation conference call follow up – 12/9/11	4 Harp	DEF 709-711
16.	Email string from Ormsbee to Smith	1	DEF 692-696

PT #	DISCOVERY DOCUMENTS	DEP EXH NO.	DISCOVERY NO.
	regarding Accommodation conference call follow up – 1/3/12	Smith	
17.	Email string regarding Tele-detailing Opportunity for Pfizer Employee – 1/3/12	2 Smith	DEF 1689-1690
18.	Email string regarding further thoughts on job options – 1/12/12	6 Smith	DEF 856-859
19.	Handwritten notes of Smith – 1/13/12	7 Smith	DEF 906
20.	Email regarding Whitney follow up – 1/24/12	8 Smith	DEF 1726
21.	Email regarding possible positions – 1/24/12	19 Stephenson	PL 227
22.	Smith notes regarding tele-detailing - 1/27/12 and 1/30/12		DEF 4839-4840
23.	Email regarding Business plans as suggested; follow up call requested - 2/2/12	7 Salamone	DEF 712-713
24.	Email regarding Business plans as suggested; follow up call requested (with plans attached) – 2/2/12	20 Stephenson	PL 234; 457-466
25.	Email regarding review of accommodations – 2/8/12	10 Smith	DEF 728-729
26.	Chart of figures for expenses		DEF 5317-5318
27.	Defendant's Amended and Supplemental Responses to Plaintiff's Interrogatories and Requests for Production of Documents – 4/25/14		
28.	Evaluations and any other documents from plaintiff's personnel or payroll files		
29.	Charts of Evidence and Damages		
30.	Blowups of documents		

2. Plaintiff may offer the following documents and exhibits:

PT #	DISCOVERY DOCUMENTS	DEP EXH NO.	DISCOVERY NO.
31.	Pfizer job descriptions for sales representatives		
32.	Email between Jerry Lambert and Wesley Stephenson	3 Wes Stephenson	
33.	Email from Cochran – 10/29/11		PL 467-470
34.	Email from Cochran – 11/17/11		PL 480-481
35.	Email regarding Pfizer area sales mgr – 12/1/11		PL 380-382
36.	Handwritten notes of Smith – 1/9/12	4 Smith	DEF 848
37.	Email string regarding OPEN DOOR Policy – 2/27/12	3 DiDio	DEF 913-916
38.	Interview notes – 3/2/13 and 3/8/12	5 DiDio	DEF 843-845
39.	DiDio letter to Stephenson – 3/19/12	11 DiDio	DEF 923-924
40.	Pfizer job posting for Inside Sales Representative		PL 389-390
41.	Letter regarding Business Auto Insurance Policy; Declaration Page and Certificate of Insurance		DEF 3440-3442; 3451-3455; 3480-3486; 4715-4724
42.	Master Services Agreement regarding Priority Air Express, LLC – 10/23/12		DEF 4725-4726; 4735-4737
43.	Services Agreement with Automotive Services Systems, Inc. – 9/1/11		DEF 4848; 4856-4858
44.	Services Agreement with BostonCoach – 11/1/08		DEF 4900; 4903-4907
45.	Chart of disabled employees seeking accommodations		DEF 5315
46.	Pfizer Annual Reports		
47.	Pfizer sales reports and documents		

PT #	DISCOVERY DOCUMENTS	DEP EXH NO.	DISCOVERY NO.
	reflecting sales of plaintiff and other sales representatives		
48.	Pfizer financial reports reflecting expenditures of Pfizer in connection with its marketing and sales of its products		
49.	Plaintiff's LTD claims file		
50.	Plaintiff's Social Security claims file		
51.	Plaintiff's medical records		
52.	EEOC Guidance		
53.	Office of Federal Contract Compliance Programs (OFCCP) – Final Rule		
54.	NC Department of Health and Human Services, NC Division of Services for the Blind, Administrative Policies and Procedures, § D		
55.	All insurance policies produced by defendant		
56.	All agreements regarding transportation produced by defendant		
57.	All benefits plans		
58.	All personnel policies		
59.	All documents produced by plaintiff through disclosures or discovery		
60.	Defendant's discovery responses		
61.	All documents produced by defendant through disclosures or discovery		
62.	All deposition exhibits presented in this action		
63.	All documents listed by defendant		
64.	Expert Albrecht's Report		
65.	Expert Clifford's Report		
66.	Documents concerning compensation of comparitors		
67.	Documents concerning other charges		

PT #	DISCOVERY DOCUMENTS	DEP EXH NO.	DISCOVERY NO.
	and legal actions		
68.	Documents concerning other accommodations granted by defendant		
69.	Documents concerning defendant's budget		
70.	Communications of support received by plaintiff		
71.	Plaintiff's awards and commendations		
72.	Pfizer job descriptions		
73.	Alternative job proposals by plaintiff		
74.	Documents regarding plaintiff's income		
75.	EEOC letter regarding driving as an essential function		

This the 13th day of June, 2016.

/s/Robert M. Elliot

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CERTIFICATE OF SERVICE

I hereby certify that on June 13, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following counsel for defendant:

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